

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CIVIL TRIAL MINUTES

Date: 2/07/2018	Time: 4 Hrs; 57 Min.	Judge: WILLIAM ALSUP
Case No.: 17-cv-00939-WHA	Case Name: Waymo LLC v. Uber Technologies, Inc.	
Deputy Clerk: Angella Meuleman	Court Reporter: Katherine Sullivan / Debra Pas	

Attorney for Plaintiff: Charles Verhoeven, Melissa Baily, Duane Lyons, David Eiseman, Andrea Roberts, David Perlson, James Judah, Jordan Jaffe, Jared Newton, Patrick Schmidt

Also Present: Demarren Berkeley, Corporate Representative

Attorney for Defendant: Arturo Gonzales, Bill Carmody, Esther Chang, Michael Jacobs, Karen Dunn, Thomas Pardini, Wendy Ray, Martha Goodman, Meredith Dearborn, Joseph Grinstein, Michael Brille, Matthew Berry, Shawn Rabin

Special Master: John Cooper

Also Present: Demarron Berkeley, Waymo Representative; Eric Meyhofer, Uber Representative; Tony West, Uber Corporate Counsel

PROCEEDINGS

REASON FOR HEARING: Jury Trial - HELD

RESULT OF HEARING: See Attached Log

Witnesses: Travis Kalanick, Nina Qi, Lior Ron, Eric Friedberg.

Admitted Exhibits: 273, 277, 10275, 5460, 8009, 10312, 376, 8011, 378, 911, 910, 285, 743, 383, 1771, 1770, 259, 263, 298, 299, 7304, 5413, 5213, 4296, 4297, 4316, 5146, 4314, 5822, 5077, 5467, 4313, 5472, 3226, 3227, 354, 7912, 5078, 7661, 7111, 7114, 5101.

CONTINUED TO: February 8, 2018 at 7:30 am for Further Jury Trial.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

[17-cv-00939-WHA](#)

Waymo LLC v. Uber Technologies, Inc.

TRIAL LOG

JUDGE:	PLAINTIFF ATTORNEY:	DEFENSE ATTORNEY:
William Alsup	Charles Verhoeven, Melissa Baily, Duane Lyons, David Eiseman, Andrea Roberts, David Perlson, James Judah, Jordan Jaffe, Patrick Schmidt.	Arturo Gonzales, Bill Carmody, Michael Jacobs, Esther Chang, Thomas Pardini, Wendy Ray, Martha Goodman, Karen Dunn, Joseph Grinstein, Michael Brille, Matthew Berry, Shawn Rabin.
Special Master: John Cooper		
Also Present:	Demarren Berkeley, Corp. Rep.	Eric Meyhofer, Corp. Rep. Tony West, Corp. Counsel
TRIAL DATE:	REPORTERS:	CLERK:
February 7, 2018	Katherine Sullivan / Debra Pas	Angella Meuleman

PLF NO.	DEF NO	DATE/TIME OFFERED	ID	EVI. REC	DESCRIPTION	BY
		7:30 a.m.			Court in session. Housekeeping matters discussed. Disc of excerpts of video deposition of John Bares handed to the Court.	
		7:55 a.m.			Jury present. Witness, Travis Kalanick , on witness stand for continued testimony. Direct testimony continues by Charles Verhoeven.	
273			X	X	Email dated 1/25/2016 from John Bares to Cameron Poetzsch.	
277			X	X	Email dated 1/28/2016 from Cameron Poetzsch to Travis Kalanick.	
					7/27/17 Excerpt from Video deposition of Travis Kalanick.	
10275			X	X	Series of text messages from Travis Kalanick to Anthony Levandowski.	
5460			X	X	Text from Anthony Levandowski to Travis Kalanick dated 3/1/2016.	

8009			X	X	Text from Anthony Levandowski to Travis Kalanick dated 3/17/2016.	
					10/2/2017 Excerpt from video deposition of Travis Kalanick.	
10312			X	X	Text from Anthony Levandowski to Travis Kalanick on 3/19/2016.	
					Excerpt clip YouTube video of Wall Street (Greed is Good speech)	
376			X	X	Text message from Anthony Levandowski to Travis Kalanick on 3/21/2016.	
8011			X	X	Text message from Anthony Levandowski to Travis Kalanick on 3/21/2016.	
378			X	X	Email with attachment dated 3/31/2016 from Anthony Levandowski.	
911			X	X	Minutes of Special Meeting of Board of Directors dated 4/11/2016.	
910			X	X	Project Zing Review dated 4/11/2016 (7 slides).	
					7/27/2017 Excerpt from video deposition of Travis Kalanick.	
285			X	X	Newco Agreement	
743			X	X	Indemnification Agreement dated 4/11/2016.	
					7/27/2017 Excerpt from video deposition of Travis Kalanick.	
383			X	X	Text from Anthony Levandowski dated 5/5/2016	
291			X			
		8:55 a.m.			Cross-examination of witness by Karen Dunn.	
	1771		X	X	Email dated 3/7/2015 from David Drummond to Travis Kalanick.	
	1770		X	X	Email dated 1/22/2015 from David Dummond to Travis Kalanick.	
		9:22 a.m.			Jury excused. Housekeeping matters discussed outside the presence of the jury.	
		9:25 a.m.			Court in recess.	

		9:42 a.m.			Court reconvened. Housekeeping matters discussed outside the presence of the jury.	
259			X	X	By Stipulation regarding Poetzschdr.	
263			X	X	By Stipulation regarding Poetzschdr.	
		9:45 a.m.			Jury present. Cross-examination of witness continues by Karen Dunn.	
		10:01 a.m.			Re-direct examination of witness by Charles Verhoeven.	
		10:03 a.m.			Witness is excused.	
		10:06 a.m.			Witness, Nina Qi , approaches the witness stand and sworn for testimony. Direct examination of witness by Melissa Baily.	
298			X	X	Email dated 1/16/2016 from Nina Qi to Cameron Poetzschdr.	
299			X	X	Attachment to email above.	
					6/22/2017 Excerpt of Video deposition of Nina Qi	
7304			X	X	Spreadsheet	
		10:19 a.m.			Cross-examination of witness by Michael Brille.	
		10:30 a.m.			Re-direct examination of witness by Melissa Baily.	
		10:33 a.m.			Re-cross examination of witness by Michael Brille.	
		10:34 a.m.			Witness excused.	
		10:35 a.m.			Witness, Lior Ron , approaches the witness stand and is sworn for testimony. Direct examination by David Perlson.	
5413			X	X	Email dated 11/10/2015 from feedback@slack.com to Levandowski.	
5213			X	X	Text message between Anthony Levandowski and Lior Ron.	
4296			X	X	Text message between Anthony Levandowski and Lior Ron.	
4297			X	X	Text message between Lior Ron and Anthony Levandowski.	
4316			X	X	Email dated 11/16/2015 from Lior Ron and Anthony Levandowski.	

5146			X	X	Text message between Anthony Levandowski and Lior Ron.	
4314			X	X	Email dated 1/1/2016 from Lior Ron.	
5822			X	X	Text message between Lior Ron and Anthony Levandowski.	
5077			X	X	Entity Details	
5467			X	X	Text message between Anthony Levandowski and Lior Ron.	
903			X		Document received from Levandowski on 11/2/2016. (Objection sustained)	
523			X		Email dated 11/2/2016.	
					Excerpt of 10/2/2017 video deposition of Lior Ron.	
4313			X	X	Email dated 1/2/2016 from Lior Ron to Lior Ron.	
5472			X	X	Email dated 3/6/2016 from Lior Ron to Anthony Levandowski.	
		11:06 a.m.			Cross-examination of witness by Bill Carmody.	
	3226		X	X	Text messages dated 1/22/2016 between Lior Ron and Anthony Levandowski. (Objection) Only pages 267 and 268 admitted.	
	3227		X	X	Text message between Anthony Levandowski and Lior Ron.	
		11:23 a.m.			Re-direct examination of witness by David Perlson.	
		11:26 a.m.			Re-cross examination of witness by Bill Carmody.	
		11:26 a.m.			Witness excused. Jury excused.	
		11:26 a.m.			Preliminary matter regarding next witness discussed outside the presence of the jury.	
		11:32 a.m.			Court in recess.	
		11:53 a.m.			Court in session. Housekeeping matters discussed outside the presence of the jury.	
		11:56 a.m.			Jury present. Witness, Eric Friedberg , on the witness stand and is sworn for testimony. Direct examination of witness by Charles Verhoeven.	
354			X	X	Engagement Letter	

7912			X	X	Stroz Friedberg Summary Report	
5078			X	X	Email chain dated 3/25/2016 from Mary Fulginiti to Hanley Chu.	
7661			X	X	Email chain dated 4/1/2016 from Eric Friedberg to Tate, et al	
7111			X	X	Memorandum dated 4/2/2016 from Stroz Friedberg to John Gardner.	
81			X		Exhibit A to term sheet	
7114			X	X	Spreadsheet	
5101			X	X	Anthony Levandowski Preliminary Forensic Findings - Evidence Summary	
		1:00 p.m.			Jury admonished and excused.	
					Housekeeping matters regarding witnesses discussed outside the presence of the jury. The parties are to return tomorrow, 2/8/2018, for Further Jury Trial at 7:30 a.m. before Judge William Alsup, Courtroom 12, 19th Floor.	
		1:05 p.m.			Court in recess.	